FOR MYSORE STATE

55,000 31 10 50.

HEALTH (195[3]) Department.

Ms. SERIES.

Closed
SR
28-8-53
Supdt

G.O. NO. 3109, Health.

Dated 19th August 1953.

[Despatch Abstract.]

Establishment - Public Health - South Kanara District Board - Payment of compensation to the ~~xxx~~ heirs of the deseased and to the injured workers involved in fire accident in Puttur Range - Orders passed.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ms.	1490	Branch	7.5.52.				
11	3475		5-11-52				

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

District Board Office
...ore, dated 23-10-1952.

FROM

Sri B.Manjaya Hegde, B.A.,B.L.,
President, Dt.Board, South Kanara.

LOCAL ADMINISTRATION DEPT. 31 OCT 1952 SECRETARIAT, MADRAS

52676

The Secretary to Government,
Local Administration Department,
Madras.

Sir,

Sub: FIRE ACCIDENT-- Health Inspector's Office, Puttur Range -- payment of compensation to the deceased and injured--instructions--solicited.

On 8-11-1951 there was an outbreak of fire in the office of the Health Inspector, Puttur range and as a result, the following persons who were deputed to Kulgunda of Subramania village of Puttur taluk on duty in connection with the special sanitary arrangements to be done by this Dt.Board during the Kulgunda Cattle Fair held in November 1951 and happened to be in the office at the time got entangled in the fire accident.

(1)	Sri Kumaran	Health Inspector, Kasaragod range in additional charge of Puttur range
(2)	Sri P.Kanthappa Shetty ..	Permanent Dt.Board Licence Inspector, Kasaragod range.
(3)	Sri Kunhiraman	Temporary Health Assistant counting about 7 months' servic under the Board.
(4)	Hoovayya)	Persons appointed temporarily as Maistries for 20 days on a pay of Rs; 2/- (two only) each per day for sanitary arrangements.
(5)	Dugganna Naik)	
(6)	Ananda Naik)	

ASSISTANT SECRETARY 6 NOV 1952 HEALTH DEPARTMENT

Of the above, No.1 was seriously injured and is still under treatment and Nos.2 and 3 died. Nos. 4, 5 and 6 who also got serious injuries were got admitted as inpatients in the local Govt.Hospital, Puttur for about 30 days.

2. Now, the legal heir of No.3 (Sri Kunhiraman) and the 3 Mazdoors Nos. 4 to 6 appointed as Maistries have submitted applications for payment of compensation to them. It is reported that each Mazdoor has incurred an expenditure of Rs.100/- (one hundred only) while undergoing treatment and that they require 6 months' more to go out for work.

3. The Director of Public Health, Madras in his letter addressed to the Dt.Health Officer, South Kanara (copy enclosed) has requested him to take up the question of payment of compensation to the injured and pension to the family of the deceased as per rule 29(1) of the Superior Civil Service (Extraordinary Pension) rules and if not gratuity as permissible under rule 15

p.t.o

Ref.A5-2814-52.

45155 C

South Kanara District Board Office
Mangalore, dated 23-10-1952.

From

Sri B.Manjaya Hegde, B.A.,B.L.,
President, Dt.Board, South Kanara.

LOCAL ADMINISTRATION DEPT.
31 OCT 1952
SECRET'T, MADRAS

Pd

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ASSISTANT SECRETARY
NOV 1952
HEALTH DEPARTMENT

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p.t.o

(1)(c) of the said rules. But the District Inspector of L.F.Accounts, South Kanara who was consulted in the matter states that the Superior Civil Service rules are not applicable to local bodies and that the Government may be addressed in the matter. I, therefore, request orders of the Government on the following points:---

(i) whether the District Board is liable to pay any compensation to the deceased or injured

(ii) and if liable, the maximum emoluments payable in each case may kindly be intimated.

71566 B 5

For President,
District Board, South Kanara

Hys/28-10 28/10/52

Health Department

Endt No 52675 P2/52-1 Health dt 14.11.52

Referred to the Inspector of Municipal councils and Local Boards for remarks

By order

13.11.52
Assistant Secretary to Govt

To
The Inspector of Municipal
councils and Local Boards

Rc 11.11.52
11-11-52

Received on 20.11.52

3

Copy of R.No.9192-1-E3-52 from the Director of Public Health, Madras addressed to the Dt.Health Officer. S.K.

Sir,

Sub: FIRE ACCIDENT- Health Inspector's office- Puttur
Payment of pension and compensation to the deceased and injured
Ref: His letter Rc.3755-A-51 dated 12-11-51.

B5

The Dt.Health Officer, S.K is requested to take up the question of payment of compensation to the injured and pension to the family of the deceased . Rule 29(1) of the Superior Civil Service (Extraordinary pension) rules provide for the payment of pension to the family of a Govt. servant who dies of injuries received as the result of accident or disease suffered as a result of a risk of office. It is not certain whether this rule will apply to local Board servants. This may be ascertained from a Dt.Inspector of L.F.Accounts.

In the event of pension being inadmisible, the question of paying gratuity may be taken up. The persons entitled to the gratuity may be advised to make any application as required in Rule 15(1)(c) of the rules for payment of gratuity. The maximum amount of 15 months pay may be recommended in view of the tragic circumstances under which they met their death and the special sanction of Government obtained.

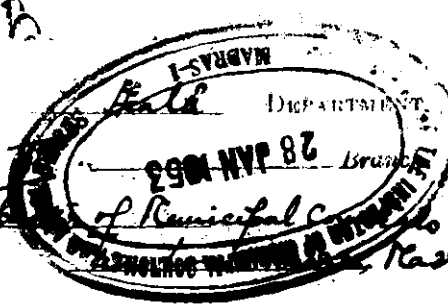
sd: S.Padmanabha Iyer,
for Director of Public Health, Madras.

True /Copy/

28/10/52

For president

C.F. 98



REMINDER

To The Secretary of Municipal Council Kasaragod.

71566

~~have the honour to invite~~
am directed to invite attention to Govt Endt.

No. 52675/P&S2-1, dated 14.11.82, and
~~to request that the reply to it may be expedited~~
request that this reminder may be returned ~~at once~~, with information as to

(1) the stage at which the matter now is, ~~and~~
(2) the date by which a reply may be expected, ~~and~~
~~(3) the circumstances which have caused the delay~~

Office Health Secretariat Signature. C Conrad
Station Fort St George
Dated 28.1.83 Designation. for Assistant Secretary to Govt

SUBJECT.

Estt - Public Health - South Kanara Medical Board - Payment of Compensation to the deceased and injured workmen due to the accident at Puttur Range.

Office of the Inspector of
W/ Municipal Councils and
Local Bds REPLY. Madras.

To The Secretary to Government
Health Department

Sir

The matter under
has been referred to the
Commissioner of Labour
Madras and the Examiner
of Local Fund Accounts,
Madras. I shall send
my reply on receipt
of their replies.

ASSISTANT SECRETARY
HEALTH DEPARTMENT

For Inspector

301/53

The G.L.B may be reminded on 3.3.53 if necessary.

3.3.53

301/53

LOCAL ADMINISTRATION DEPARTMENT
5461
2 FEB 1953
SECRETARIAT, MADRAS

A5-2814-52.

South Kanara Dt.Board Office,
Mangalore, dated 27-1-53.

From

Sri B.Manjaya Hegde, B.A.,B.L.,
President, Dt.Board, South Kanara

To

The Secretary to Government,
Local Administration Department,
Madras.

32

Sir,

Sub: FIRE ACCIDENT- Health Inspector's office- Puttur range- compensation- payment to the deceased and injured-instructions solicited

Ref: This office letter Ref.A5-2814-52/23-10-52.

I request that the Government may be pleased to issue early instructions in the matter.

For President

ASSISTANT SECRETARY
9 - FEB 1958
HEALTH DEPARTMENT

hys/29-1

9/2

Health Pg

Encl- P.H. South Kanara Dist Board- Payment of Compensation to the deceased and injured workers due to the accident in Puttur Range.

Ref:-
From the P.D.B, South Kanara
Ref A.5.2814-52 dt 27.1.53

Memo no 52675 Pg/52-2 Health dt 13-2-53

The P.D.B, South Kanara is informed that the matter is under consideration of Govt.

CG
11/2/53

To
The P.D.B
South Kanara

Re
9.2.53
CES
9.2.53

Note:- The matter is pending with Insp. of Hospitals.

Re
9.2.53 CES 9.2.53

CG
11/2/53

11/7

4/3/53

Health (P2)

Dp
5/3/53

Estt - P.H - South Kanara Dist Board - Payment of compensation to the deceased and mfr workers due to fire accident in Puttur Range

Ref.
Govt Endt No 52675 P2/52-1 Health Dt 14.11.52

sent in engl

Memo No 52675 P2/52-3 Health Dt 5-3-53

Vide P-2 cf

The attention of the Inspr of Mls and DBoards is invited to the Govt Endt cited on the subject and he is requested to state at what stage the matter now is and when a final reply may be expected in the matter.

To
The Inspr of Mls etc DBds

Rc
3.3.53

4/3/53

C.F. 32—14,67 656—21-3-52.

Department

From (Name) Sri K.G. Menon, I.C.S.,

Designation Inspector of Municipal Councils and Local Boards,

Station M A D R A S --1.

Received Registered

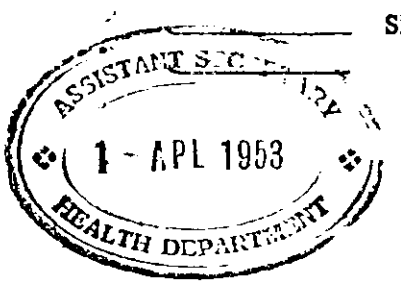
To

The Secretary to Government,
Health Department,
Fort St. George, MADRAS.

18865

Enclosures: ROC No. 71566.52 D5 dated 30-3-53. 195

Sir,



SUB:- COMPENSATION..South Kanara District Board..Fire accident in the office of the Health Inspector, Puttur Range..payment of compensation to the staff entangled.

REF:- Government Memo Endorsement 52675.52.1. Health dated 14-11-52.

The matter is under correspondence with the Examiner of Local Fund Accounts and the Commissioner of Labour. I shall send my reply soon after I get their views on the matter.

ssraj.31.3.

Health
This may be seen
till 1.5.53
Re 1.4.53 cft 1-4-53

FOR INSPECTOR.

Health (P2) 15

Estt - P.H - South Kanara Dist Board - Payment of Compensation to the deceased and injured workers due to fire accident in Puttur Range.

Ref

From the Insp^r of Ml dls & dBds Roc. No. 71566-52-D5 Dated 30.3.53

Memo No. 52675 P2/52-4 Health Dt 2-5-53

The attention of the Insp^r of Ml dls & dBds is invited to his letter cited and he is requested to state at what stage the matter now is and when a final reply may be expected

To

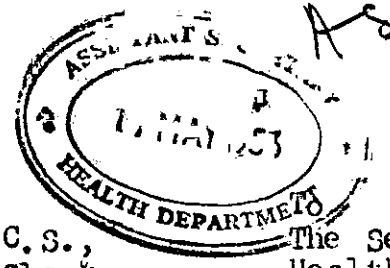
The Insp^r of Ml dls & dBds Re

1.5.53

CO

1.5.53

2/5/53



A-S(H)

From
Sri K.G.Menon,I.C.S.,
Inspector of Ml.Cls.&
Local Boards, Madras-1

The Secretary to Government,
Health Department,
Madras-9.

Roc.No.71566/52-D5 dated 14.5.53.

Sir,

Sub:- Compensation - South Kanara District Board-Fire Accident in the Office of the Health Inspector Puttur range - payment of compensation to the staff.

27504

Ref:- Government memorandum 52675-P2-52-4 of Health dated 2.5.53.

...

The Examiner of Local Fund Accounts has not yet sent his reply. He is being reminded today.

Health (P2)

16.5.

The Insp. of Ml. Cls For Inspector.

sas.16.5. Local Boards may be reminded on 20.6.53, if necessary.

20/5/53

CO
20/5/53

P

19 5

From

Sri K.G. Menon, I.C.S.,
Inspector of Ml.Cls and Local Boards, Madras-1.

To

The Secretary to Government,
Health Department, Madras.

L.Dis.No..71566/52 dated 31.5.53.

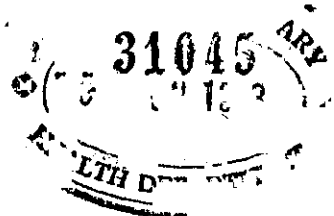
Sir,

Sub:- Compensation - South Kanara District Board.. Fire accident in the office of Health Inspector, Puttur-payment of compensation to the staff.

Ref:- Government endorsement No.52675/P/2/52-1 dated 14.11.52.

I consulted both the Commissioner for workmen's compensation and the Examiner of Local Fund Accounts. The former says that no compensation is payable under the Workmen's Compensation Act, while the latter says that if it is decided to pay any compensation, it will have to be treated as extra ordinary expenditure. Copies of their letters are enclosed.

2. The Government endorsement dated 14.11.52 is retransmitted herewith.



FOR INSPECTOR.

Encl.
1. Copy of letter L.Dis. 2738/53 dated 30.1.53 of the Commissioner for Workmen's compensation.
2. Copy of letter L.F. 1399 dated 14.5.53 of the Examiner of Local Fund Accounts.
3. Government endorsement 52675/P-2.52-1 Health dated 14.11.52.

Copy of L.Dis.No.2738/53 dated 30-1-53 of the Commissioner for Workmen's compensation, Madras.

Sub:- Workmen's Compensation Act. Fire Accident..Health Inspector office..Puttur Range..Payment of compensation to the deceased and injured persons.

Ref:- Your letter No.Roc.71566/52.D5 dated 26.12.52.

The employment of the persons involved in the Fire accident does not come under any of the clauses mentioned in schedule II of the workmen's Compensation Act, and so no compensation is payable under the Act.

@@@@@

PTO

6 20

Copy of letter L.F.No.1399 dated 14.5.53 of the Examiner of Local FundAccounts, Madras.

Sub:- Compensation.. South Kanara District Board..Fire accident in the office of the Health Inspector--Puttur Range..Payment of compensation to staff.

Ref:- Yo ur letter Roc71566/52 D6 dated 5,1.53,.

--

It is prosumed that death or injury was caused to the individual during the discharge of official duties. The District Board does not seem to be liable to pay any compensation to the Health Inspector in view of his being a government employee. As regards the other district board servants who got injuries, the e are no rules or instructions governing the grant of compensation of the kind mentioned by the President District Board. If the provisions of the Workmen's Compensation Act, 1928 are applicable, the compensation due will have to be assessed and awarded by the Commissioner for Workmen's compensation and any compensation so awarded may be paid without any outside sanction. Otherwise any compensation considered due by the Administrative authorities may have to be treated as extra-ordinary expenditure and sanctioned accordingly.

/true copy/

FOR INSPECTOR.

ssraj.3.6.

No 316

Health (Gr.)

Memo no. 52625-Gr/52-H 6 dated 10/6/1952

Sub: Compensation - South Kanara Dt. Bd - Fire accident in the office of Health Inspr, Puttur - payment of compensation to the staff.

Ref: From the P.D.B., S. Kanara, Ref. no. A.S. 2814/52, dated 23.10.52

From the Inspr. of Ml. Cls & Local Bdr, L.Dis 7566/52, dated 31.5.53

The Officer's letters from the P.D.B. S. Kanara and the Inspr of Ml. Cls. and Local Bdr. are forwarded to the D.P.H. and D.T.O

Dp 11/6

Dp 10/6/53

hp 1-3 cy

hp 5-6 cy

hp 1-7 cy

22

He is requested to offer his remarks.

DS 9.6.53

2. The Director is also requested to say whether there was any previous case of payment of compensation to servants of local bodies in similar circumstances. He is requested to treat this reference as very urgent

CES 9.6.53

4
10/6/53

To

The D.P.H. (with file & orgl. to be returned)

reply.)

L.Dis.49340-1-E3-53. Office of the Director of Public Health, Madras, dated: 14--7---1953.

38355

Retransmitted.

2. The Health Assistant and the three mazdoors met with accident while on duty. It is, therefore, necessary that they or their heirs should be compensated at least on compassionate grounds. The Health Assistant's widow may be granted a compassionate gratuity equivalent to 7 months pay of the Health Assistant and the mazdoors of 20 days wages or Rs.40/- each. The District Board may be accordingly advised and the Inspector of Municipal Councils and Local Boards, Madras requested to admit the extra-ordinary expenditure.

3. There are no previous cases of payment of compensation to servants of local bodies but this is an extra-ordinary case.

For Director of Public Health, Madras.

To

The Secretary to Government, Health Department,
Fort St. George, Madras.

ocs157.

16/7/53.

Cno. 52625.02/53

63/19/8 8/19.8.53

DP 18.8.53

(D)

/p1.3 y

/p14 y

/p23 y

'A' on /p23 ny

Ego. 3476 H / 1152

(Q)

Ego. 1490H / 7553

(Y)

/17 - /p3 ny Health Asst.

Health (B2)

Order (ms) nr. 3109 Memo no. 52625.02/52 H, dated 19.8.53.

Sub: Estt - B.H - S. Kanara Dtbd - payment of Compensation to the heirs of the deceased and to the injured workers ~~due to~~ involved in fire accident in Puttur Range. Orders passed.

Ref: From the Bd. S. Kanara Dtbd. Ref. no. MS. 284/52, dated 23.10.52.

From the Insp. of Mfg. Co. & Local Bds., L Dis. 71566/52, dated 31.5.53.

From the DP.H., L.Dis. 49340-1. E3/53, dated 14.7.53

The S.O., S. Kanara Dtbd is informed that as the Health Inspr. being a Govt employee, he need not be compensated or paid any gratuity by the Dtbd. ~~The Health Inspr. was also granted special disability leave from 9.11.51 - 8.9.53. and the DPH was also informed that the question of granting a special injury gratuity to the Health Inspr. will be considered when an application therefor is received.~~

2. The S.O. is also informed that the Dtbd. is not liable to pay any compensation to the injured, or ~~to~~ the legal heirs of the deceased and that the Dtbd. may however pay on compassionate grounds gratuity equivalent to

7 months' pay to the widow of the Health Asst. and 20 days' wages or Rs. 40/- to each of the mandoors and that the expre on this account should be treated as extra ordinary expre.

2. The attention of the D.P.H is in this connection invited to para 3 of G.O. 1490 Health dt 7.5.52 in which he was informed that the question of granting a special injury gratuity to the Health Insp. involved in the accident would be considered when an application therefor was received

To

The S.O., S. Kanara DD Bd, Mangalore (para 1 only)
The Sanitary Engineer
Local Bds., Madras
D.P.H., Madras.
Exer. of L.F. Accts
2 sp. copies.

DMP 21/8/53

OBS 12.8.53. ccs 12/8/53

ccs 18/8/53

18/8/53

18/8/53

C.no. 52675/B2/52. Sub: Estt - O.H. S. Kanara DDBd - Payment of Compensation to the deceased and injured workers due to fire accident Puttur Range.

pp1-3 y - Ref: From the Dt. S. Kanara DDBd. Rep A.S. 2814/52, dated 23.10.52.

p19 y - From the Inspr. of mc. Cls and Local Bds. & Dis. no. 71566/52, dated 31.5.53

p23 y - From the D.P.H. & Dis. 49360.1.E3/53, dated 14.7.53

Please see the letter from the Dt. S. Kanara DDBd., on pp 1-2 y and the remarks of the Inspr. of mc. Cls & Local Bds and the D.P.H on pp 19 and 23 y.

p1 y - The Dt. in his letter has stated that on account of a fire accident in the office of the Health Inspr. Puttur range, the Health Inspr was seriously injured and, a permanent DDBd. License Inspr. and a temporary Health Supervisor died on the spot and 3 maistries temporarily appointed for 20 days in Connection with the Kalgunda Cattle Fair, were admitted in the Local Govt Hospl. for 30 days for serious injuries As the legal heir of the deceased temp. Health Supervisor and the 3 maistries Submitted applications for the payment of Compensation, the D.DB. has requested Govt. to inform him

p2 y 1) whether the DD. Bd. is liable to pay any Compensation to the deceased or the injured

2) and if liable, the maximum emoluments payable in each ca

[P.T.O]

The Inspr. of Ml. Cls and the D.P.H. were consulted in the matter. p/p 2 and p/p 21-22 g

The Inspr. reports that he consulted the the Comm. for Workmens Compensation who has reported ~~and the Exr. of Kozhikode in this matter~~ and that no compensation is payable under the workmen's Compensation; but the Exr. of Local Funds Accounts has stated that if it is decided to pay any compensation, it will have to be treated as extraordinary charge. p 19 g p 20 g

The D.P.H. has in his letter at p 23 g reported that as the Health Asst. and the Mazdoors met with accident while on duty, they or their heirs should be compensated at least on compassionate grounds. He has recommended Gratuity equivalent to 7 months pay of the Health Asst. and 20 days wages or Rs 40/- to each of the three Mazdoors. He further reports that there are no previous cases of payment of compensation to servants of Local bodies but that this has to be treated as an extraordinary case ~~and to advise the Govt. to admit this as extraordinary charge.~~ p. 23 g para 3 on p 23 g

~~In the circumstances stated by the D.P.H, his proposal may be approved by Govt.~~

~~It may be put for remarks.~~

(OS 12.7.53) The Health Inspr. being a Govt. employee, he need not be compensated or paid any gratuity. He has been granted special disability leave from 11.51 to 8-9-53. The DPH has also been told that the question of granting a A p 5 c/f (2) p 3476 Health 5.11.52

(5) Special injury gratuity to the Health Inspr. will be considered when an application therefor is received.

A: -2.53

The S.O., Dr.Bd may be told that the Dr. Bd is not liable to pay any compensation to the deceased injured or the legal heirs of the deceased and that the Bd. may pay on compassionate grounds gratuity equivalent to 7 months pay to the legal heir of the Health Asst and 20 days wages @ Rs 4 0/- to each of the maydoors, and that the expenditure should be treated as extra-ordinary expenditure

L.A and Fin may see for remarks

p 20 cf

p 23 cf

AA K 27/53

C.C.O
25/7/53

K 27/7/53 S

SK 27/7/53 GA./Fin

Health wo. 52605-02/52-7

= -27.7.53

LOCAL ADMINISTRATION DEPT. 37618 28 JUL 1958 SECRETARIAT, MADRAS

ASSISTANT SECRETARY 31 JUL 1953 43654 HEALTH DEPARTMENT

LA D(G).

The note of the Health Department at pp.1-3 ante may be perused. This Department may agree with Health. The file may be passed on to Finance Department.

Fin wo No. 629 PS EA/53-1
8-8-53

LAwo 37618/53-1G.
31.7.1953.

GKM 29/7/53.
KV 29.7.53

KV 30.7.53

Secy

Sm

31/7/53

FIN (EA)

The notes of Health on pp.1-3 above may be perused.

This Dept may agree to the proposal of Health at 'A' above

ADDITIONAL DEPUTY SECRETARY TO GOVERNMENT 6295 1-AUG 1953 FINANCE DEPARTMENT BD

Thro Revenue 5/8/53

Health 5/8/53/LA/-8-53

on 7.8.53 KV 8/8/53 Health

4

Health (R)

Please see the remarks of L.A. and Finance depts on p.3 ante. The draft ~~memo~~ put up below is for approval.